

Amendment No. 4 to SB1219

Haynes
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1219*

House Bill No. 1754

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated facility containing all of the following characteristics:

(i) Such facility is owned and operated by a for-profit organization organized under the laws of the state of Tennessee;

(ii) Does not discriminate against any patron on the basis of race, religion, gender, or national origin;

(iii) Provides food service to the public or for private events and catering with a seating capacity for at least two hundred fifty-eight (258) persons at tables, whether or not such seating is inside or on a deck or patio;

(iv) Is open at least five (5) days a week serving two (2) meals daily with suitable kitchen, dining facilities and equipment;

(v) Is located in any county having a population of not less than three hundred seven thousand eight hundred (307,800) nor more than three hundred seven thousand nine hundred (307,900), according to the 2000 federal census or any subsequent federal census; and

(vi) Is in the center of a full service marina and resort located on the Tennessee River; which full service marina has four hundred seventy-six (476) dry storage slips and wet slips up to eighty feet (80') that offers two (2) cabins completely furnished and an inn with twelve (12) rooms that overlooks the Tennessee River.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated facility containing all of the following characteristics:

(i) A restaurant, or restaurants, which serve at least two (2) meals per day at least five (5) days per week;

(ii) Such facility is located on at least seventy (70) acres which sits horizontal to a four lane highway with State Route 474 intersecting the property;

(iii) Such facility is located within a major retail center site, know as Merchants Greene;

(iv) Such facility is located within the municipal boundaries of the county seat of a county having a population of not less than fifty-eight thousand one hundred (58,100) nor more than fifty-eight thousand two hundred (58,200) according to the 2000 census or any subsequent federal census; and

(v) Such facility does not discriminate against any patron on the basis of race, religion, gender, or national origin.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(24)(W), is amended by deleting the semicolon (;) at the end of subdivision (W)(iii) and inserting in lieu thereof the following:

and, should such establishment be physically located within the approved Tourism Development Zone, such licensed establishment may serve beer, wine, and other alcoholic beverages as defined pursuant to § 57-3-101(1)(A);

SECTION 4. Tennessee Code Annotated, Section 57-4-102(7), is amended by adding the following language as a new, appropriately designated subdivision:

() "Club" also means a for-profit recreational club organized and existing under the laws of the state of Tennessee which has been in existence and operating for at least two (2) years prior to March 31, 2003, and which is located in any county not having a metropolitan form of government and having a population of not less than five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census, and further possesses the following characteristics:

(i) Has at least two hundred twenty-five (225) members paying monthly and/or annual dues and does not discriminate against members or potential members or bona fide guests of such members on the basis of gender, race, religion or national origin;

(ii) Is organized and operated exclusively for recreation and provides a regulation eighteen-hole golf course for the use of its members and guests, and may or may not also provide for the use of its members and guests a swimming pool and tennis facility; and

(iii) Has a clubhouse with not less than ten thousand square feet (10,000 sq. ft.) with suitable kitchen, dining facilities and equipment, serving at least one (1) meal daily, at least five (5) days a week;

(iv) Such club may not compensate or pay any officer, director, agent or employee any profits from the sale of alcoholic or malt beverages based upon the volume of such beverages sold;

It is the express intention of the general assembly that the provisions of law concerning the purchase or possession of alcoholic beverages by persons under twenty-one (21) years of age be strictly enforced by such club;

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.